

To: Kivowitz, Sharon[Kivowitz.Sharon@epa.gov]
From: Biblow, Charlotte
Sent: Thur 11/20/2014 5:35:20 PM
Subject: NCHGCS

Hi Sharon – attached is the list of parties and the sites they are identified with, which should be evaluated for inclusion as PRPs.

- (1) As to the Property at 125 State Street – owner C&O Realty Co. not named as PRP by EPA
- (2) As to the Property at 29 New York Avenue - owner Equity Share I Associates, not named as PRP by EPA
- (3) As to the Property at 1101 Prospect Avenue - owner/operator Sulzer Metco (US) Inc. f/k/a Perkin Elmer, n/k/a Oerlikon Metco (US) Inc. not named as a PRP by EPA.
- (4) As to the Property at 36 Sylvester St (Grand Machinery Exchange named as a PRP by EPA. It is owner - never operated at the site). The following information was included in its Section 104 response about current and former tenants.

Tishcon Corp. (1993-present)
American Express Field Warehouse Corp.
Universal Transistor Products Corp.
National Gear Products
- (5) As to the Property at 299 Main Street (2632 Realty Development and Island Transportation Corporation were named as PRPs by EPA. 2632 was the owner from August 1994 to November 1996 and from November 1998 to January 5, 2006. ITC was the tenant from 1971 to 1982.) The following information was included in 2632's Section 104 response.

Former and current tenants of 299 Main Street not named as PRPs by the EPA:

Star Bus Company (dates of occupancy unknown)
Mid-Island Transit (dates of occupancy unknown)
Crestwood Bus Service (dates of occupancy unknown)
Asphalt Petroleum (dates of occupancy unknown)
Frank's Used Cars (dates of occupancy unknown)
Jarrod's Limo Service (dates of occupancy unknown)
Sam-Ton Salvage, Inc. (1982 to 1993)
Scibelli Automotive, Inc. (1982 to 1993)
{Note: Joseph Scibelli and Sam Scibelli are the principals of Sam-Ton and Scibelli Automotive}
One-Stop Auto Body & Repair, Inc. (1994 to 1996)
Phil's Auto & Truck Repairs, Inc.(1994 to 1996)
{Note: Phil Rivera was the principal of Phil's Auto}
Salvage Recovery System, Inc. (1996 to 2001)
Padilla Construction Services, Inc. (2006 to the present)

Current owner not named as a PRP by EPA: 299 Main Street LLC and 19 Liberty, Ltd. Purchased site in January 2006.

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From: David C. Batson [<mailto:batsonadr@verizon.net>]
Sent: Friday, September 19, 2014 6:09 PM
To: RLUCIC@sheehan.com; savena@garfunkelwild.com; Biblow, Charlotte; mwillani@swcblaw.com; peter@mccarthyfingar.com; plandrigan@MccarthyFingar.com; thooker@lclaw.com; lissarushon@paulhastings.com; Swoolson@ebglaw.com; jmartin@garfunkelwild.com; bcohen@certilmanbalin.com; envlaw516@aol.com; champton@nixonpeabody.com; tsmith@bsk.com; eroggenkamp@sprlaw.com; dchorost@sprlaw.com; JPELTONEN@sheehan.com; rachel.balaban@usdoj.gov; Michael.Rowe@usdoj.gov; kevinmaldonado64@yahoo.com
Subject: Re: Convening Conference - September 17

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New Cassel/Hicksville Superfund Site Representatives,

It was pleasure meeting with you Wednesday. Thank you for a very productive discussion! I look forward to continuing our efforts to establish the PRP Group, make arrangements for conducting an allocation, and prepare for your negotiations with EPA.

Here's a summary of next steps from the meeting:

Group Organization Agreement (My lead) - Thank for everyone's time reviewing the previous Joint Defense Agreement and discussing what provisions would be applicable for the new Group organizational agreement. Attached for your review is a first draft of a PRP Agreement based on our discussions and my experience with the typical provisions of similar agreements.

>> Please review the draft & consider suggested improvements.

>> We'll hold a conference to discuss & work to reach consensus on the agreement on **Tuesday, Sept. 23**, at **4:00 EST** using Sheila's conference line.

Call-in #: 888 324 2213

Access Code: 973 639 8268

Update EPA Counsel (My lead) - Per our agreement, I reached out to Sharon Kivowitz to advise her of our convening meeting and my opinion on the Group's progress in organizing for an allocation and negotiations regarding site work. Though unable to reach her personally, I left a voicemail and hope to speak with her early next week.

Compile list of non-participating PRPs (Cheryl lead) - Cheryl, in consultation with others, will compile a list of (1) entities that have been identified as PRPs by EPA that are not participating in the Convening Group, and (2) financially viable entities that have a substantial connection with the site that have not been identified by EPA as PRPs which may be worthy of Group action. The lists will be used for the Group to identify entities to persuade to join the Convening Group and to discuss with EPA the potential for issuance of additional notice letters.

Allocation Agreement (My lead) - I will draft a proposed Allocation Process Agreement for everyone's consideration. I hope to have a draft to you next week.

Possible Group Funding (My lead) - this next week, I will check on what funding may be available from EPA headquarters to pay for the services of third party neutrals (allocation consultant, facilitator) to assist Group efforts.

Thanks,
David

P.S. - A note on my schedule: My wife is undergoing some planned surgery next Thursday, so I will be out of reach for the most part on Thursday and Friday. I will be working part-time at my home office the week of September 29 assisting with her recovery.

David C. Batson
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